

# California Department of Insurance

## Fraud Division

### March 2011 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

**Note:** If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program  
9342 Tech Center Drive, Suite 100  
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

## **March 2011 Workers' Compensation Fraud Convictions**

Case Number: M11912837

County: Fresno

Defendant: Ramiro Garcia Chavana

City/County of Residence: Fresno/Fresno

Conviction Date: 03/22/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: Parties stipulate to have defendant enter into a conditional settlement on agreed upon condition that defendant has no new arrests based on Probable casuse for 12 months.

Conditional Settlement Hearing Scheduled for 03/21/2012

CDI Case Number: 10JW009863

County: Los Angeles

Defendant: Edgar DeSantiago

City/County of Residence: Sylmar/Los Angeles

Conviction Date: 03/03/11

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)

Amount Allegedly Defrauded: \$12,807

Sentence: 2 Years Summary Probation, \$2,263 Restitution (Paid In Full), \$100 Civil Fine

Case Number: 2010043282 MA

County: Ventura

Defendant: El Taco Fresh

City/County of Residence: Fillmore/Ventura

Conviction Date: 3/14/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 24 Months Conditional Probation, \$1,000 Restitution, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,000 Stayed)

Case Number: TCM248733

County: Tulare

Defendant: Antonio Escamilla

City/County of Residence: Not available at this time

Conviction Date: 03/23/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 36 Months Summary Probation, \$10,000 Criminal Fine, (\$8,500 Suspended)

Case Number: F10903184  
County: Fresno  
Defendant: Deberoh Anne Fraser  
City/County of Residence: Clovis/Fresno  
Conviction Date: 03/14/11  
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)  
Amount Allegedly Defrauded: TBD  
Sentence: 1 Day County Jail, 6 Months Conditional Probation, TBD Restitution, \$100 Civil Fine

Case Number: BA379107  
CDI Number: 09CW023045  
County: Los Angeles  
Defendant: Benjamin Gutierrez  
City/County of Residence: La Puente/Los Angeles  
Conviction Date: 03/09/11  
Offense: 3 Counts of IC 11880(a) (Premium Fraud) reduced to misdemeanors on 06/29/11  
Amount Allegedly Defrauded: \$54,745  
Sentence: 3 Days County Jail, 3 Years Formal Probation (reverted to 2 Years Summary Probation as of 05/05/11), \$54,745 Restitution, \$200 Civil Fine (Paid)

CDI Case Number: 11BW009960  
County: Alameda  
Defendant: Joseph Haddad  
City/County of Residence: Dublin/Alameda  
Conviction Date: 03/18/11  
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
Amount Allegedly Defrauded: N/A  
Sentence: 1 Day County Jail, 36 Months Court Probation, TBD Restitution, \$500 Criminal Fine

Case Number: TCM248734  
County: Tulare  
Defendant: Ezequiel Limas  
City/County of Residence: Visalia/Tulare  
Conviction Date: 03/23/11  
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
Amount Allegedly Defrauded: N/A  
Sentence: 36 Months Summary Probation, \$10,000 Criminal Fine, (\$8,500 Suspended)

Case Number: BA369932  
County: Los Angeles  
Defendant: Jose Luquin  
City/County of Residence: Not available at this time  
Conviction Date: 03/22/11  
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)  
Amount Allegedly Defrauded: \$4,175  
Sentence: 2 Days County Jail, 40 Hours Community Service, 3 Years Formal Probation, \$4,175 Restitution, \$200 Civil Fine

CDI Case Number: 10AW001452  
County: Stanislaus  
Defendant: Muhammad Raza  
City/County of Residence: Sacramento/Sacramento  
Conviction Date: 03/30/11  
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
Amount Allegedly Defrauded: N/A  
Sentence: 1 Day County Jail, 36 Months Informal Probation, \$100 Civil Fine

Case Number: F11900401  
County: Fresno  
Defendant: Ryan Matthew Rose  
City/County of Residence: Fresno/Fresno  
Conviction Date: 03/09/11  
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)  
Amount Allegedly Defrauded: \$4,293.83  
Sentence: 1 Day County Jail, 3 Years Formal Probation, \$4,293.83 Restitution, \$400 Civil Fine

CDI Case Number: 09JW023135  
County: Ventura  
Defendant: Hector Rocha Villasenor  
City/County of Residence: Oxnard/Ventura  
Conviction Date: 03/29/11  
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)  
Amount Allegedly Defrauded: \$42,840  
Sentence: 60 Days County Jail, 36 Months Conditional Probation, \$3,424.20 Restitution, \$100 Civil Fine